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**COMBINED DECLARATION AND POWER OF ATTORNEY**

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL, CONTINUATION OR CIP)

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As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type:

- ☒ original
- ☐ design
- ☐ supplemental

NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application do not check next item; check appropriate one of last three items.

- ☐ national stage of PCT

NOTE: If one of the following three items applies, then check and also complete section entitled "CLAIM FOR BENEFIT UNDER 35 U.S.C. § 120."

- ☐ divisional
- ☐ continuation
- ☐ continuation-in-part (CIP)

**INVENTORSHIP IDENTIFICATION**

WARNING: If the inventors are each not the inventors of all the claims, an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**

**SYSTEM AND METHOD FOR AUTOMATICALLY DRILLING AND BACKREAMING A  
HORIZONTAL BORE UNDERGROUND**

## SPECIFICATION IDENTIFICATION

the specification of which:

- (a) ☐ is attached hereto.
- (b) ☒ was filed on January 12, 2000 ☒ Serial No. 09/481,351 ☒ Express Mail No. EL452665041US.

NOTE: Amendments filed after the original papers are deposited with the PTO and which contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 CFR 1.67.

- (c) ☐ was described and claimed in PCT International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ as amended under PCT Article 19 on \_\_\_\_\_ (if any).

NOTE: Where item (c) is entered above and the International Application which designated the U.S. itself claimed priority under 35 U.S.C. § 119, complete and attach EXHIBIT 1, FOREIGN PRIORITY CLAIM UNDER 35 U.S.C. § 119.

## ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56,

(also check the following items, if desired)

- ☐ and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent, and
- ☐ in compliance with this duty there is attached an information disclosure statement in accordance with 37 CFR § 1.98.

**CLAIM FOR BENEFIT UNDER 35 U.S.C. § 120**

NOTE: Complete this part only if this is a divisional, continuation or CIP application.

I hereby claim the benefit under Title 35, United States Code, Section 120, of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information that is material to the examination of this application, namely, information where there is substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent, which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

<b>PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. § 120:</b>				
<b>U.S. APPLICATIONS</b>		<b>Status (check one)</b>		
<b>U.S. SERIAL NO</b>	<b>U.S. FILING DATE</b>	<b>PATENTED</b>	<b>PENDING</b>	<b>ABANDONED</b>
<b>PCT APPLICATIONS DESIGNATING THE U.S.</b>				
<b>PCT APPLN. NO.</b>	<b>PCT FILING NO.</b>	<b>U.S. SERIAL NO.</b>		

## FOREIGN PRIORITY CLAIM UNDER 35 U.S.C. § 119

(complete one of the following)

- ☒ I claim no foreign priority benefits under Title 35 U.S.C. § 119 of foreign application(s) for patent or inventor's certificate or of any PCT international application; or
- ☐ I claim foreign priority benefits under Title 35 U.S.C. § 119, as indicated in ADDED PAGE FOR FOREIGN PRIORITY CLAIM UNDER 35 U.S.C. § 119 attached hereto as Exhibit 1.

### POWER OF ATTORNEY

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Sean V. O'Connell, Reg. No. 42,951 and Mitchell K. McCarthy, Reg. No. 38,794 of the firm of McKINNEY & STRINGER, P.C., Corporate Tower, 101 North Robinson, Suite 1300, Oklahoma City, Oklahoma 73102.

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### DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

### SIGNATURES

Full Name of Sole  
or First Inventor:

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Inventor's Signature:

*David R. Payne*

Date of Signature:

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